

### **REMARKS**

Claims 38-66 are currently pending in this application. Claims 38, 41, 51, and 56 have been amended. Claims 1-37 were previously canceled. Applicant respectfully requests reconsideration of the pending claims.

#### **Oath/Declaration**

The Examiner has indicated that the Declaration is defective. Applicant has enclosed a newly-executed Declaration.

#### **Claim Rejections – 35 U.S.C. § 102**

The Examiner rejected Claims 38-40, 49-52, 54-57, and 65-66 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 3,059,842 ("Wadey").

Wadey does not disclose the subject matter of amended independent Claim 38. Specifically, Wadey does not disclose an apparatus for cutting a web, the apparatus comprising a cutting assembly having a length and including a plurality of independently actuated blades positioned along the length of the cutting assembly, a plurality of blades being operable to generate a continuous slit in the web, the slit being substantially transverse to the direction of movement of the web, and at least one blade remaining retracted during a full rotation of the cutting assembly.

Rather, Wadey discloses a rotating punch drum 10 to generate holes in a card 12. A plurality of punches 60 are contained within the drum 10. When the punch 60 receives a control signal, an elongated lower portion 19 of the punch 60 extends through a channel 21 in the drum 10 to create a hole in the card 12. The plurality of punch drums 10 do not generate a continuous slit in the card 12. Furthermore, the card punch system of Wadey teaches away from generating a slit because only holes could be detected by the data processing system for which the card 12 is used. The data processing system read data that was stored on the cards 12 based on the location and number of holes.

For these and other reasons, Wadey does not disclose the subject matter defined by independent Claim 38. Accordingly, independent Claim 38 is allowable. Dependent Claims 39-50 depend from independent Claim 38 and are allowable for the same and other reasons.

Wadey does not disclose the subject matter of amended independent Claim 51. Specifically, Wadey does not disclose an apparatus for cutting a moving web, the apparatus comprising a plurality of blades operable to independently extend and retract from the cutting assembly, a plurality of blades being operable to generate a continuous slice in the web while at

least one blade remains retracted during a full rotation of the cutting assembly, the slice being substantially transverse to the direction of movement of the web. As noted above, the plurality of punch drums 10 in Wadey do not generate a continuous slit in the card 12.

For these and other reasons, Wadey does not disclose the subject matter defined by independent Claim 51. Accordingly, independent Claim 51 is allowable. Dependent Claims 52-55 depend from independent Claim 51 and are allowable for the same and other reasons.

Wadey does not disclose the subject matter of amended independent Claim 56. Specifically, Wadey does not disclose an apparatus for cutting a moving web, the apparatus comprising a cutting assembly including a plurality of blades, each blade being operable to move from a first position to a second position, a plurality of blades being operable to move into the second position to generate a continuous slice in the web while at least one blade remains in the first position during a full rotation of the cutting assembly. As noted above, the plurality of punch drums 10 in Wadey do not generate a continuous slit in the card 12.

For these and other reasons, Wadey does not disclose the subject matter defined by independent Claim 56. Accordingly, independent Claim 56 is allowable. Dependent Claims 57-66 depend from independent Claim 56 and are allowable for the same and other reasons.

The Examiner rejected Claims 38-39, 45-51, 53-58, and 62-66 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 4,742,741 ("Hallberg").

Hallberg does not disclose the subject matter of amended independent Claim 38. Specifically, Hallberg does not disclose an apparatus for cutting a web, the apparatus comprising a cutting assembly having a length and including a plurality of independently actuated blades positioned along the length of the cutting assembly, a plurality of blades being operable to generate a continuous slit in the web, the slit being substantially transverse to the direction of movement of the web, and at least one blade remaining retracted during a full rotation of the cutting assembly.

Rather, Hallberg discloses a rotary sheeter 20 for cutting a moving web into segments. The rotary sheeter 20 includes an upper roll assembly 24 and a lower roll assembly 28. The roller assemblies 24, 28 include an array of alternating cutter rollers 140, 144, 148, 152 and slot rolls 156, 160, 164, 168. The cutter rollers 140, 144, 148, 152 each include a blade 268 that extends the width of the rotary sheeter 20. The cut generated in the web is performed by a single blade rather than a plurality of blades as required by Claim 38.

For these and other reasons, Hallberg does not disclose the subject matter defined by independent Claim 38. Accordingly, independent Claim 38 is allowable. Dependent Claims 39-50 depend from independent Claim 38 and are allowable for the same and other reasons.

Hallberg does not disclose the subject matter of amended independent Claim 51. Specifically, Hallberg does not disclose an apparatus for cutting a moving web, the apparatus comprising a plurality of blades operable to independently extend and retract from the cutting assembly, a plurality of blades being operable to generate a continuous slice in the web while at least one blade remains retracted during a full rotation of the cutting assembly, the slice being substantially transverse to the direction of movement of the web. As noted above, the rotary sheeter 20 generates a cut in the web using a single blade rather than a plurality of blades.

For these and other reasons, Hallberg does not disclose the subject matter defined by independent Claim 51. Accordingly, independent Claim 51 is allowable. Dependent Claims 52-55 depend from independent Claim 51 and are allowable for the same and other reasons.

Hallberg does not disclose the subject matter of amended independent Claim 56. Specifically, Hallberg does not disclose an apparatus for cutting a moving web, the apparatus comprising a cutting assembly including a plurality of blades, each blade being operable to move from a first position to a second position, a plurality of blades being operable to move into the second position to generate a continuous slice in the web while at least one blade remains in the first position during a full rotation of the cutting assembly. As noted above, the rotary sheeter 20 generates a cut in the web using a single blade rather than a plurality of blades.

For these and other reasons, Hallberg does not disclose the subject matter defined by independent Claim 56. Accordingly, independent Claim 56 is allowable. Dependent Claims 57-66 depend from independent Claim 56 and are allowable for the same and other reasons.

#### Claim Rejections – 35 U.S.C. § 103

The Examiner rejected Claims 43-44 and 60-61 under 35 U.S.C. § 103 as being unpatentable over Wadey.

Claims 43-44 depend from Claim 38 and are allowable for at least the reasons Claim 38 is allowable. Claim 43 further specifies wherein the cutting assembly has a first rotary distributor to supply the cutting assembly with an actuating fluid for the actuators and a second rotary distributor to supply the cutting assembly with control signals and supply power for respective solenoid valves of the actuators. Claim 44 further specifies wherein the solenoid valves of the actuators are contained in a module located at one end of the cutting assembly.

The Examiner has indicated that Wadey does not teach or suggest the subject matter of Claims 43-44. Instead, the Examiner takes Official Notice that the subject matter of Claims 43-44 is well known in the art, and cites U.S. Patent No. 6,038,976 ("Helmstadter") to support the Official Notice.

Applicant respectfully disagrees. Helmstadter discloses that using an electronic control system with a pneumatic control system provides disadvantages as noted by the passage below:

It is unfavorable, in this regard, that in addition to the pneumatic system already present in any event on the press, a second system be installed, the electrical system being prone to failure. Because the solenoid valves are comparatively expensive, their use in large numbers in the case of the printing-press cylinder with fine suction hole graduation, mentioned hereinbefore, is not very advantageous. The valves are not arranged on the suction roller, but rather, externally. The preferred solenoid valves also cannot be arranged well on the rotatable suction roller, because the electrical clutch would be complex. Due to the external valve arrangement, the suction-air channels leading from the valves to the suction openings on the lateral surface of the suction roller which are not covered by printing substrate or the like are exposed to a risk of soiling in the form of penetration or ingress by foreign bodies, for example accumulating particles of paper.

Helmstadter, col. 1, lines 45-63.

With the punch card system of Wadey being pneumatic-based, it does not appear that it would be obvious to use solenoid valves and rotary distributors in a pneumatic-based system. Accordingly, Claims 43-44 are allowable.

Claims 60-61 depend from Claim 56 and are allowable for at least the reasons Claim 56 is allowable. Claim 60 further specifies wherein the cutting assembly has a first rotary distributor to supply the cutting assembly with an actuating fluid for the actuators and a second rotary distributor to supply the cutting assembly with control signals and supply power for respective solenoid valves of the actuators. Claim 61 further specifies wherein the solenoid valves of the actuators are contained in a module located at one end of the cutting assembly.

The Examiner also has taken Official Notice of the subject matter of Claims 60-61 for the same reason noted above with respect to Claims 43-44.

Again, Applicants traverse the Official Notice. It is not old and well-known to include solenoid valves and rotary distributors in an apparatus for cutting a web. Accordingly, Claims 60-61 are allowable.

The Examiner rejected Claim 59 under 35 U.S.C. § 103 as being unpatentable over Hallberg.

Claim 59 depends from Claim 56 and is allowable for at least the reasons Claim 56 is allowable.

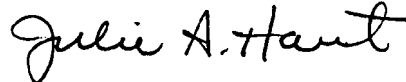
Allowable Subject Matter

The Applicant appreciates the Examiner's indication that Claims 41-42 include allowable subject matter. Applicant has amended Claim 41 to include the limitations of the base claim and any intervening claim.

CONCLUSION

In view of the foregoing, allowance of the application is respectfully requested. The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,



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